

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A. NO. 23/2003
M.A. NO. 1691/2003
in
O.A. NO. 2763/2001

(W)

This the 8th day of September, 2003

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

HON'BLE SHRI SHANKER RAJU, MEMBER (J)

Government of NCT of Delhi & Ors. ... Applicants

-versus-

Satya Prakash S/O Om Prakash ... Respondent

ORDER (ORAL)

Hon'ble Shri V.K.Majotra, Member (A) :

Respondents in the OA No.2763/2001 have moved this application seeking review of order dated 13.5.2003 passed in that OA. Admittedly this application has been filed beyond the limitation period provided in law for making the review application. The learned counsel of respondents (review applicants) has contended that noting that the disciplinary authority at the stage of show cause notice had pre-determined the issue and arrived at a final conclusion before receiving representation of the charged officer against the dissenting note of the disciplinary authority with the findings of the enquiry officer, OA was allowed. He pointed out that in certain other cases, the Tribunal had permitted the disciplinary authority to proceed afresh in the matter from the stage of recording of the note of disagreement, but in the present case, instead of granting that latitude, the OA was allowed.

Vh

2. Basically, a review is permissible only if an error apparent on record is pointed out. The contention raised by the learned counsel of review applicants is not in the nature of an error apparent on the record. As such, even if the delay in submission of the review petition is condoned, this application is beyond the scope and ambit of review.

3. In the result, the RA is dismissed.

S. Raju

(Shanker Raju)
Member (J)

V. K. Majotra

(V. K. Majotra)
Member (A)

/as/